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SUMMARY RECORD OF THE 49th MEETING

Chairman:	Mr. DINU	(Romania)
later:	Ms. ROTHEISER (Vice-Chairman)	(Austria)
later:	Mr. DINU	(Romania)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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The meeting was called to order at 7.05 p.m.

AGENDA ITEM 104: PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993 (continued)

Programme budget implications of draft resolution A/C.2/47/L.62 concerning agenda item 79 (A/C.5/47/78)

1. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the draft resolution recommended by the Second Committee would have the General Assembly convene in 1993, in accordance with the mandate agreed upon at the United Nations Conference on Environment and Development, an intergovernmental conference under United Nations auspices on straddling and highly migratory fish stocks. In his statement of programme budget implications (A/C.5/47/78) the Secretary-General had estimated conference-servicing costs at $854,200 and non-conference-servicing costs at $194,600, making a total of $1,048,800. It was anticipated that savings would arise as a result of the shortening of the sessions of the Preparatory Commission for the International Seabed Authority and the International Tribunal for the Law of the Sea, which should make it possible to absorb the non-conference-servicing costs.

2. Accordingly, the Advisory Committee was recommending that the General Assembly should be informed that, should it adopt draft resolution A/C.2/47/L.62, no additional appropriations would be required under sections 38 or 41 of the programme budget for the biennium 1992-1993.

3. Mr. SUGANO (Japan) said that the intergovernmental conference was an important matter. He noted that the Division for Ocean Affairs, which would provide substantive support for the conference, had four D-1 posts, including one that was currently frozen, in view of which he wondered whether the requests for temporary assistance were justified.

4. Mr. DUVAL (Director of the Programme Planning and Budget Division) said that the only request being made was for temporary assistance for six months, including one post at the D-1 level. The cost of the temporary assistance would be covered from within existing resources.

5. Mr. SUGANO (Japan) said that the D-1 staff in the Division for Ocean Affairs were highly experienced, and he therefore wondered why the Division staff were not able to discharge the preparatory work without temporary assistance, particularly at the D-1 level. The essential question was whether the Secretary-General of the conference should be assisted by staff recruited from outside.

6. Mr. DUVAL (Director of the Programme Planning and Budget Division) said that preparation of the conference would represent an additional workload for the Division for Ocean Affairs, and temporary assistance was needed so that the Division's other mandates would not be affected. The provision of temporary assistance did not imply that the staff of the Division would not be involved in preparing the conference.

7. The CHAIRMAN suggested that, on the basis of the statement of programme budget implications (A/C.5/47/78) and the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.2/47/L.62, no additional appropriations would be required under sections 38 and 41 of the programme budget for the biennium 1992-1993. The Fifth Committee should further recommend to the General Assembly that, should it adopt the draft resolution, it would authorize on an exceptional basis the payment of travel expenses of representatives of developing countries, especially those most concerned by the subject-matter of the conference, in particular the least developed countries, from the voluntary fund that would be established for the purpose of assisting those countries participating in the conference.

8. It was so decided.

Programme budget implications of draft resolution A/C.2/47/L.75 concerning agenda item 78 (A/C.5/47/80)

9. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the draft resolution adopted by the Second Committee would have the General Assembly decide to convene a United Nations Conference on Human Settlements (Habitat II) from 3 to 14 June 1996. A Preparatory Committee would be established, open to all States Members of the United Nations and of the specialized agencies. The Preparatory Committee would hold an organizational session of 3 days' duration in March 1993, with two preparatory sessions, the first in early 1994 in Geneva or New York and the second in conjunction with the 1995 session of the Commission on Human Settlements. The General Assembly would accept the offer by the Government of Turkey to host the Conference, and would establish an ad hoc secretariat which would be organizationally part of the United Nations Centre for Human Settlements (Habitat). The Secretary-General of the conference would be appointed by the Secretary-General of the United Nations.

10. The overall cost of the conference would be in the range of $2 million to $2.5 million, with $3 million in conference-servicing requirements at full cost. Conference-servicing costs of $118,400 and non-conference-servicing costs of $247,100, totalling $365,500, would be incurred in 1993. Of those, the conference-servicing costs could be absorbed.

11. The Advisory Committee was recommending that the General Assembly should be informed that, should it adopt draft resolution A/C.2/47/L.75, an additional appropriation of $247,100 would be required under section 19 for the biennium 1992-1993. In addition, an amount of $20,200 would be required under section 36 (Staff assessment), to be offset by an increase in the same amount under income section 1 (Income from staff assessment).

12. Mr. KARBUCZKY (Chairman of the Committee on Conferences) said that the General Assembly, by its resolution 35/10 A, had decided that all proposals relating to the schedule of conferences and meetings made at sessions of the Assembly should be reviewed by the Committee on Conferences when administrative

(Mr. Karbuczky)

implications were being considered. The Committee on Conferences had been duly informed of the proposed programme of work of the Preparatory Committee for Habitat II.

13. Since the established headquarters of the Preparatory Committee was Nairobi, the holding of the organizational session in New York and of the first substantive session in New York or Geneva represented a departure from General Assembly resolution 40/243, which stated that United Nations bodies should meet at their respective established headquarters. The Committee had been informed that conference-servicing resources and facilities were available at Headquarters for the organizational session.

14. On the basis of that information the Committee on Conferences was recommending to the General Assembly that it should grant an exception to the headquarters rule and authorize the Preparatory Committee to meet away from its established headquarters. The Committee would review the matter further as required pending subsequent decisions of the Preparatory Committee at its organizational session.

15. Mr. MICHALSKI (United States of America) said that the Conference on Human Settlements was the second world conference being proposed at the current session, notwithstanding the call for a moratorium on such conferences by the Under-Secretary-General for Administration and Management. In fact, several others were likely to be held in the next few years, entailing unnecessary expenditure. The Conference on Human Settlements alone would cost some $5 million.

16. He asked whether holding the organizational session outside Nairobi would result in a saving for the Organization, since he understood that the cost of meetings at Nairobi was approximately $75,000 per day, owing to the need to fly conference-servicing staff in from Geneva. If that was the case, it might be justified for the Preparatory Committee to meet in New York, where its meetings would cost less, even though it would be a violation of the normal procedure.

17. Mr. DUVAL (Director of the Programme Planning and Budget Division) said that it would indeed be less expensive to hold the session in New York than in Nairobi. No interpreters were permanently stationed at Nairobi, so that staff would have to be transported from Geneva for the Conference.

18. Mr. IRUMBA (Uganda) said he would have expected the United States delegation to support the headquarters rule. It seemed that whenever matters relating to Habitat were discussed, exceptions to the rule rather than the rule itself were invoked. His delegation would prefer all meetings relating to Habitat II to be held in Nairobi. Regarding the suggested moratorium, it was essential for each conference to be viewed on its merits. It was certainly high time for there to be a review of the question of human settlements.

(Mr. Irumba, Uganda)

19. Though his delegation had reservations about the meeting not being held in Nairobi, he understood why the Preparatory Committee wished to meet in New York. It would, inter alia, ensure that more countries could participate given the greater level of representation in New York.

20. The trust fund for financing the participation of least developed countries should be used, given the importance of human settlements issues to those countries. The worth of the Conference was such that attendance should be funded under the regular budget.

21. Mr. MICHALSKI (United States of America) said that his delegation did not welcome the departure from the headquarters rule in the case of the Conference, but simply noted that a saving of more than $200,000 would accrue for a three-day session if it was held in New York rather than Nairobi, owing to the need to transport fewer staff. The matter raised the question of a permanent conference-servicing capacity at Nairobi, the existence of which would make it possible to hold all the relevant meetings in that city.

22. Mr. DUVAL (Director of the Programme Planning and Budget Division) said that the Secretary-General would continue fund-raising to finance participation by least developed countries. At the current stage it was difficult to make any projections, since that would depend on the level of interest evinced by Member States.

23. The CHAIRMAN suggested that, on the basis of the statement of programme budget implications (A/C.5/47/80) and the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.2/47/L.75, an additional appropriation in the amount of $247,100 would be required for 1993 under section 19 of the programme budget for the biennium 1992-1993. In addition, an amount of $20,200 would be required under section 36 (Staff assessment), to be offset by an increase in the same amount under income section 1 (Income from staff assessment).

24. It was so decided.

25. Mr. IRUMBA (Uganda) said that although his delegation had joined the consensus, it was important for the headquarters meeting rule to be observed as much as possible. Given that exceptions to that rule were frequently made in the case of Nairobi, a conference-servicing capacity must be established at Nairobi in the next programme budget to ensure that meetings could be held there in future.

26. Ms. Rotheiser (Austria), Vice-Chairman, took the Chair.

Programme budget implications of draft resolutions A/C.2/47/L.46, A/C.2/47/L.47 and A/C.2/47/L.61 concerning agenda item 79 (A/C.5/47/81)

27. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had considered the programme budget implications of draft resolutions A/C.2/47/L.46, L.47 and L.61 ("Establishment of an intergovernmental negotiating committee for the elaboration of an international convention to combat desertification ... particularly in Africa", "Convening of a global conference on the sustainable development of small island developing States" and "Institutional arrangements to follow up the United Nations Conference on Environment and Development"). The Secretary-General stated in paragraph 17 of document A/C.5/47/81 that, should the General Assembly adopt the three draft resolutions, an additional appropriation of $2,327,000 would be required under sections 11G, 11H and 31 of the programme budget for 1992-1993, and an additional $168,000 for staff assessment under section 36, to be offset by an equal amount of income under income section 1.

28. The Advisory Committee noted that, according to paragraph 8, the Secretary-General intended to place the Secretariat support structure for those activities within the new Department for Policy Coordination and Sustainable Development. Proposals in that regard would be included in the revised estimates for 1992-1993 which the Secretary-General intended to submit to the General Assembly early in 1993. That being the case, the Advisory Committee believed it unnecessary to provide funds in the full amount requested; it recommended provision for three months.

29. Accordingly, the Advisory Committee was recommending that the General Assembly should be informed that, subject to the guidelines for the use of the contingency fund, an additional appropriation of $779,300 would be required for the first three months of 1993, including $331,800 under section 11G for desertification, $418,300 under section 11H for the follow-up to the Conference on Environment and Development and $29,200 under section 31 for public information. An additional amount of $84,000 under section 36 for staff assessment would be required, offset by the same amount under income section 1. Total requirements for the activities arising out of the three draft resolutions would be reviewed in the context of the revised estimates for 1992-1993 to be submitted to the General Assembly at its resumed forty-seventh session.

30. Mr. KARBUCZKY (Chairman of the Committee on Conferences) said that, in accordance with paragraph 6 of General Assembly resolution 35/10 A, all proposals affecting the schedule of conferences and meetings were reviewed by the Committee on Conferences when administrative implications were being considered under rule 153 of the rules of procedure. Pursuant to that resolution and to the procedures of the Committee on Conferences, members had been informed that the proposed programme of work of the Intergovernmental Negotiating Committee for the Elaboration of an International Convention to Combat Desertification included the convening of an organizational session in New York and substantive sessions at Geneva, Nairobi, New York and Paris.

(Mr. Karbuczky)

31. It was the understanding of the Secretary-General that the substantive session to be held in Paris would come under the terms of section I, paragraph 5, of General Assembly resolution 40/243, and would not represent an exception to the headquarters principle. Since the headquarters of the Intergovernmental Negotiating Committee would be in Geneva, the organizational session in New York and the substantive sessions in Nairobi and New York represented a departure from section I, paragraph 4, of that resolution, which stated that United Nations bodies should plan to meet at their respective established headquarters.

32. Members of the Committee on Conferences had been informed of the availability of conference-servicing resources at Headquarters for the requested organizational session. The Committee on Conferences therefore was recommending to the General Assembly that it should grant an exception to resolution 40/243, section I, paragraph 4, thereby authorizing the Intergovernmental Negotiating Committee to meet away from its established headquarters. Every effort would be made to schedule the substantive sessions in consultation with the Office of Conference Services in order to ensure the best use of existing resources.

33. Mr. OULD CHEIKH EL GHAOUTH (Mauritania) said that document A/C.5/47/81 (para. 8) treated the secretariat of the proposed International Negotiating Committee as an integral part of the new Department for Policy, Coordination and Sustainable Development, whereas the draft resolution called for a separate and independent structure based at Geneva. Six months being the minimum amount of time required for the activities involved, he appealed to the Advisory Committee to reconsider its recommendation.

34. Mr. JOMAA (Tunisia) said that he shared the concerns of the representative of Mauritania regarding paragraph 8 of the Secretary-General's statement. It was his understanding of paragraph 9 of draft resolution A/C.2/47/L.46 that the ad hoc secretariat was, by definition, a separate entity and not under the guidance of any other body.

35. With regard to draft resolution A/C.2/47/L.61, he recalled that the dates for the organizational session of the new Commission on Sustainable Development had not been discussed. If the organizational session was held in February 1993, as suggested in paragraph 33 of the Secretary-General's report, it would coincide with the organizational session of the Economic and Social Council.

36. Mr. SUGANO (Japan) said that his Government attached great importance to the follow-up to the United Nations Conference on Environment and Development, in particular the institutional arrangements. It was not fully satisfied with the justification for the increase of five posts described in paragraph 23 of document A/C.5/47/81. The existing UNCED secretariat would undertake new responsibilities during the transitional period, but the functions of the new body to be created were unclear. He would appreciate receiving job

(Mr. Sugano, Japan)

descriptions for the 10 existing and 5 new posts. Furthermore, the staffing table appeared to be top-heavy: out of 15 posts, 8 were at the D-1 level or above. He wondered whether that structure would be maintained after the transitional period, or whether other categories of staff would be expanded.

37. Mr. AHMIA (Algeria) said that his delegation had already expressed its position regarding the Intergovernmental Negotiating Committee in the Second Committee. It shared the concerns of the previous speakers regarding the provision of financial resources for a limited period, and was convinced of the necessity to allocate financial resources for a reasonable period of time so that the Committee could complete its work before June 1994. He asked for clarification of the arrangements to be made after the three-month period had ended.

38. Mr. MICHALSKI (United States of America) said that his delegation had not fully assessed all the programme budget implications of the three draft resolutions, but there was not much evidence that costs had been absorbed where appropriate. His delegation accepted the Advisory Committee's rationale for the three-month appropriation, since the activity and department in question were to be discussed at the resumed session of the General Assembly.

39. Mr. IRUMBA (Uganda) requested clarifications on the redeployment of staff, what section of the budget was affected and what activities might be forgone in order to accommodate that staffing request. He was pleased that a substantive meeting would be held in Nairobi, since his delegation was of the view that Nairobi would have been an appropriate choice for headquarters of the Intergovernmental Negotiating Committee.

40. Mr. ASHE (Antigua and Barbuda), speaking with reference to the dates of the organizational session of the Preparatory Committee for the Global Conference on the Sustainable Development of Small Island Developing States, said that March 1993 would be preferable to February. He also asked whether bringing in experts for short periods place a burden on the Secretariat.

41. Mr. Dinu (Romania) resumed the Chair.

42. Mr. MENSAH (Vanuatu) said that, when negotiations had been held on the draft resolution on the convening of a global conference on the sustainable development of small island developing States (A/C.2/47/L.47), it had been agreed that the Preparatory Committee for the Conference would hold an organizational session before April 1993. Paragraph 48 of document A/C.5/47/81 indicated that the organizational session would be held in February 1993, although March 1993 would be far preferable to countries with very small delegations.

43. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the recommendations of the Advisory Committee with regard to the Secretary-General's statement on the programme budget

(Mr. Mselle)

implications of draft resolutions submitted to the General Assembly for adoption by the Second Committee (A/C.5/47/81) were procedural and interim. The Advisory Committee had received the Secretary-General's statement that very day and had not been able to give it due consideration. For that reason, the Advisory Committee was recommending, not a reduced appropriation, but that a budgetary provision should be made for three months. That would enable the Secretariat to begin implementation of the requested activities. In the meantime, the Advisory Committee would carefully analyse the request and submit its recommendations to the General Assembly at its resumed forty-seventh session.

44. The Advisory Committee was also aware that many of the programmes and activities requested under the draft resolutions were related to one or more clusters of activities to be implemented by some of the departments that were being established. The Advisory Committee wished to review those proposals in the light of the proposal that the Secretary-General would be submitting to the resumed session with regard to the establishment of the new departments, in particular the Department for Policy Coordination and Sustainable Development.

45. While he understood that certain delegations which had taken part in the work of the Second Committee might be somewhat displeased with the Advisory Committee's recommendation, he pointed out that the Second Committee had taken almost four months to negotiate the draft resolutions and had given the Advisory Committee only one day to consider them. In the circumstances, the Advisory Committee believed that its recommendations were fair, and reiterated that the amounts allocated simply represented interim arrangements for three months.

46. Mr. JOMAA (Tunisia) said that, in paragraph 9 of draft resolution A/C.2/47/L.46, it had been decided that the proposed Intergovernmental Negotiating Committee would have an ad hoc secretariat. However, paragraph 8 of document A/C.5/47/81 indicated that it was the "intention of the Secretary-General to place the ... secretariat support structure within the new Department for Policy Coordination and Sustainable Development". It was his delegation's understanding that the Intergovernmental Negotiating Committee would have its own ad hoc secretariat, and it was important to clarify the apparent contradiction in order not to give the wrong impression.

47. The CHAIRMAN suggested that, on the basis of the statement of programme budget implications submitted by the Secretary-General and the recommendations of the Advisory Committee, the Committee should inform the General Assembly that, should it adopt the draft resolutions contained in documents A/C.2/47/L.46, L.47 and L.61, an additional appropriation of $779,300 would be required for the first three months of 1993, including $331,800 under section 11G for desertification, $418,300 under section 11H for the follow-up to the United Nations Conference on Environment and Development, and $29,200 under section 31 for public information; as well as an additional amount of $84,000 under section 36 (Staff assessment), to be offset by the same amount

(The Chairman)

under income section 1 (Income from staff assessment). The totality of requirements, which would be subject to the guidelines for the use and operation of the contingency fund, would be reviewed in the context of the revised estimates for 1992-1993 to be submitted to the General Assembly at its resumed forty-seventh session.

48. It was so decided.

49. Mr. MICHALSKI (United States of America) said that his delegation would have no difficulty approving the Advisory Committee's recommendations, which were balanced and took account of the need for the Fifth Committee to impose a modest degree of fiscal responsibility on the Organization.

50. Mr. OULD CHEIKH EL GHAOUTH (Mauritania) said that his delegation welcomed the Advisory Committee's recommendation, which would make it possible to establish the Intergovernmental Negotiating Committee and its secretariat, and it understood that the Advisory Committee would not delay in giving comprehensive and thorough consideration to all the texts that had been submitted.

51. Mr. AHMIA (Algeria) said that his delegation fully appreciated the context in which the Advisory Committee had prepared its recommendations, and had taken note of the assurances of the Chairman of the Advisory Committee that that Committee would consider the matter thoroughly and submit its recommendations to the General Assembly at the resumed session. The necessary financial resources must be allocated in order to enable the Intergovernmental Negotiating Committee to complete its work successfully by June 1994.

52. Mr. JOMAA (Tunisia) said that, in the light of the assurances given by the Chairman of the Advisory Committee and the Chairman of the Fifth Committee, it was the understanding of his delegation that paragraph 2 of document A/C.5/47/81 was without prejudice to paragraph 8, paragraph 24 and other subsequent paragraphs of that document.

53. Mr. ASHE (Antigua and Barbuda) said that the Committee should give full consideration to his earlier request, supported by the delegation of Vanuatu that the organizational session of the Preparatory Committee for the Global conference should be held in March rather than February 1993.

54. Mr. DUVAL (Director of the Programme Planning and Budget Division) said that all the dates of meetings indicated in document A/C.5/47/81 reflected assumptions made at the time of the preparation of the document on the basis of available information. It was his understanding that the Economic and Social Council at its organizational session for 1993 would take a final decision on the dates of the meetings.

55. Mr. AHMIA (Algeria) said that his delegation understood that the budgetary allocations recommended for the establishment of the Intergovernmental Negotiating Committee had been arrived at in the light of purely technical reasons, not because of a lack of resources.

56. Mr. JOMAA (Tunisia) said that his delegation wished to emphasize, for the record, that the amounts stated by the Chairman of the Advisory Committee were merely provisional, and that the Advisory Committee would re-examine them at a later stage, bearing in mind the late submission of document A/C.5/47/81.

Programme budget implications of draft resolution A/47/L.49 concerning agenda item 80 (A/C.5/47/83)

57. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had considered the statement of programme budget implications of draft resolution A/47/L.49 (A/C.5/47/83).

58. The requests contained in the draft resolution, which related to the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change, were enumerated in paragraph 2 of the Secretary-General's statement, while the financial arrangements and estimated resources for implementing the proposed activities were discussed in paragraphs 6 to 18. In that connection, the Secretary-General recalled the arrangements that had been approved for the continuation of the work of the secretariat of the Intergovernmental Negotiating Committee to the end of 1992. As noted in paragraph 6, resources totalling $1,176,300 had been approved under the regular budget to fund posts as well as non-staff requirements; the World Meteorological Organization (WMO) and Governments had also provided staff.

59. In paragraph 9, the Secretary-General stated that should the General Assembly adopt the draft resolution, it would be his intention to place the secretariat established by the General Assembly in resolution 45/212 within the new Department for Policy Coordination and Sustainable Development. Since the exact features of the new Department were not yet known and would be presented to the Assembly in the context of additional revised estimates early in 1993, the Secretary-General further proposed to maintain the existing secretariat arrangements. The interim secretariat would continue to be located in Geneva and would consist of one D-2, one D-1, one P-4, one P-3 and one P-2 to be financed from the regular budget. The posts currently financed by WMO would remain available in 1993 and contributions from other specialized agencies and organizations of the United Nations system would be sought through bilateral arrangements.

60. As stated in paragraph 11, a P-2 and a P-3 post were available for temporary redeployment to the interim secretariat. The Secretary-General stated that the other posts, namely, one D-2, one D-1, one P-4 and four General Service posts, would be identified for redeployment from within the new Department or other parts of the Secretariat and that such redeployment

(Mr. Mselle)

would be presented in the forthcoming revised estimates. Pending that identification and redeployment, the Secretary-General proposed to finance the posts from general temporary assistance and therefore requested a provision of $379,000, which represented six work-months for each of those seven posts. The Secretary-General added that in the event of difficulties in identifying posts at the appropriate levels before 30 June 1993, a report would be submitted to the Advisory Committee.

61. Non-staff requirements for 1993 were estimated at $359,000, as shown in paragraph 13 of the Secretary-General's statement. Consequently, the total substantive requirements in 1993 amounted to $738,000. As explained in paragraph 15, the estimated conference-servicing requirements in 1993, on a full-cost basis, amounted to $990,000.

62. It was estimated that no additional resources would be required for conference-servicing activities under section 41 of the programme budget for 1992-1993. However, because no activities had been proposed for termination, deferral, curtailment or modification in the programme budget for 1992-1993, in order to provide additional resources for the proposed activities, the Secretary-General concluded that, should the draft resolution be adopted, an additional appropriation of $738,000 would be required under section 11F of the programme budget for 1992-1993, subject to the guidelines for the operation and use of the contingency fund. In addition, an amount of $119,200 would be required under section 36 (Staff assessment), to be offset by an increase in the same amount under income section 1 (Income from staff assessment). As indicated in paragraph 21, it would also be necessary to amend the narrative of the programme of work under section 11F, in the manner indicated in paragraph 5 of the statement.

63. As noted in paragraph 1 of the Secretary-General's statement, the draft resolution had been considered by the Second Committee, which had subsequently decided to send it to the General Assembly in plenary meeting for further consideration. In that connection, the Advisory Committee had been informed that the Second Committee had been unable to reach agreement as to how to treat the reference in the draft resolution to the programme of work determined by the sixth session of the Intergovernmental Negotiating Committee, which had been held from 7 to 10 December in Geneva.

64. The Committee had further been informed that the estimate contained in document A/C.5/47/83 represented a maintenance level of the present arrangements in order to enable the secretariat of the Negotiating Committee to carry out its work for the first six months of 1993, it being the Secretary-General's intention to report in the context of the revised estimates on the totality of the resources required for the secretariat.

65. That being the case, and bearing in mind the Secretary-General's statement that the revised estimates would be submitted early next year, the Advisory Committee did not believe that it was necessary to provide six months

of general temporary assistance for the posts concerned or to provide for non-staff items for all of 1993. The Committee therefore was recommending that a provision for three months should be approved in respect of both general temporary assistance and non-staff items. In making that recommendation, the Committee pointed out that should the revised estimates be delayed, the Secretary-General could submit a report to the Advisory Committee.

66. Accordingly, the Advisory Committee was recommending that the General Assembly should be informed that, should it adopt draft resolution A/47/L.49, an additional appropriation of $279,250 would be required at the current stage under section 11F of the programme budget for 1992-1993, subject to the guidelines for the operation and use of the contingency fund and on the understanding that the totality of the requirements would be reviewed in the context of the revised estimates for 1992-1993 to be submitted to the General Assembly at its resumed forty-seventh session. In addition, an amount of $59,600 would be required under section 36 (Staff assessment), to be offset by an increase in the same amount under income section 1 (Income from staff assessment).

67. Mrs. CLIFF (United Kingdom) drew attention to paragraph 15 of document A/C.5/47/83, which referred to the assumption that the Intergovernmental Negotiating Committee would hold two sessions of 10 days each in 1993 at Geneva. Paragraph 18 explained that the estimated conference-servicing requirements would be met from the resources provided under section 41 of the programme budget for the biennium 1992-1993. It should be noted, however, that on 10 December 1992, a decision had been taken to hold one of the two scheduled meetings in New York, thus giving rise to travel and subsistence costs for the members of the secretariat of the Intergovernmental Negotiating Committee. Her delegation would be grateful for information on the probable additional costs, the manner in which those costs would be submitted to the Fifth Committee and whether the Committee on Conferences would need to be involved, as the decision to hold a meeting in New York represented a departure from the relevant provisions of General Assembly resolution 40/243.

68. Mr. DUVAL (Director of the Programme Planning and Budget Division), said that the change of venue would not affect the assumption that the conference-servicing requirements could be absorbed within the overall resources provided under section 41 of the programme budget, as provision was made in that section for meetings which had not yet been approved by the General Assembly. With regard to travel costs for staff to service the meeting, any change in the assumptions would, as stated in paragraph 15 of document A/C.5/47/83, be treated in accordance with existing procedures; in other words, should there be additional requirements which could not be absorbed within the resources approved on the basis of the current statement of programme budget implications, the Secretary-General would seek approval from the Advisory Committee for a further appropriation.

69. The CHAIRMAN suggested that, in the light of the statement of programme budget implications submitted by the Secretary-General (A/C.5/47/83) and the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/47/L.49, an additional appropriation of $279,250 would be required at the current stage under section 11F of the programme budget for 1992-1993, subject to the guidelines for the operation and use of the contingency fund, and on the understanding that the totality of the requirements would be reviewed in the context of the revised estimates for 1992-1993 to be submitted to the General Assembly at its resumed forty-seventh session. In addition, an amount of $59,600 would be required at the current stage under section 36 (Staff assessment), to be offset by an increase in the same amount under income section 1 (Income from staff assessment).

70. It was so decided.

Revised estimates under section 38: Commission of Experts established pursuant to Security Council resolution 780 (1992) (A/C.5/47/68)

71. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had considered document A/C.5/47/68, in which the Secretary-General submitted revised estimates under section 38, Legal activities.

72. As stated in paragraph 2, by paragraph 2 of its resolution 780 (1992) of 6 October 1992, the Security Council had requested the Secretary-General to establish, as a matter of urgency, an impartial commission of experts on violations of international law committed in the territory of the former Yugoslavia. As noted in paragraph 3, the Secretary-General had since established the Commission of Experts, consisting of five members who would serve in their personal capacity, one of whom had been designated Chairman. The Chairman would receive compensation equivalent to salary at the Assistant Secretary-General level and the other members of the Commission would receive compensation on an as-worked basis equivalent to the salary of a D-2. The Commission would be serviced as a legal body by the Office of Legal Affairs. The Secretary-General had decided that the Commission would be located at the United Nations Office at Geneva and would be supported by a small secretariat consisting of three Legal Officers at the D-1, P-4 and P-3 levels, assisted by two General Service staff members. The requirements for 1992-1993, estimated on a full-cost basis, amounted to $1,238,700, as explained in paragraphs 6 to 8 of document A/C.5/47/68. That amount included $905,300 for the Commission and its secretariat, $26,900 for travel costs in respect of its mission to the territory of the former Yugoslavia and $306,500 for conference-servicing costs. The Secretary-General proposed to deploy in 1993 a D-1 post and a P-3 post in keeping with the new treatment of vacancies and to use the P-4 post of Legal Liaison Officer at Geneva for that purpose. Accordingly, no additional resources would be required in respect of those costs.

(Mr. Mselle)

73. Since the programme budget for 1992-1993 provided not only for meetings known at the time of budget preparation but also for meetings that would be authorized subsequently, no additional appropriations would be required for conference-servicing costs. Accordingly the Secretary-General estimated that an amount of $681,900 would be required under section 38, Legal activities, of the programme budget for 1992-1993 to cover the requirements for the compensation and travel of members of the Commission, as well as travel of its secretariat and general operating expenses. In the Secretary-General's view, the implementation of Security Council resolution 780 (1992) related to the maintenance of peace and security. Accordingly, it was also his view that the related requirements of $681,900 that would arise were of an extraordinary nature, relative to the maintenance of peace and security, and should be treated outside the procedures governing the contingency fund.

74. The Advisory Committee concurred in that approach; however, bearing in mind the small amount required in respect of data-processing services, rental and maintenance of office equipment, supplies and office automation equipment, the Advisory Committee recommended that the estimate should be increased by $35,200. Accordingly, the Advisory Committee was recommending that an additional appropriation of $646,700 should be approved under section 38 of the programme budget for the biennium 1992-1993.

75. The CHAIRMAN suggested that the Fifth Committee should recommend to the General Assembly that it approve an additional appropriation of $646,700 under section 38 of the programme budget for 1992-1993, on the understanding that those requirements would be treated outside the procedures related to the contingency fund.

76. It was so decided.

The meeting rose at 9.30 p.m.